

REMARKS

The present application was filed on June 6, 2000 with claims 1-17. Claims 8 and 9 are canceled herein. Claims 1-7 and 10-17 are currently pending in the application. Claims 1, 16 and 17 are the independent claims.

Applicants initially note that claim 14 stands rejected under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2001/0003833 (hereinafter "Tomizawa") in view of U.S. Patent Application Publication No. 2001/0026384 (hereinafter "Sakano"). Applicants respectfully traverse, on the ground that the Sakano reference, filed in the U.S. on March 14, 2001, is not prior art relative to the present application. The §103(a) rejection is therefore believed to be improper, and should be withdrawn.

Claims 1-13 and 15-17 stand rejected under 35 U.S.C. §102(e) over Tomizawa. In response, Applicants have amended independent claims 1, 16 and 17 to clarify the claimed subject matter. More specifically, claims 1, 16 and 17 have each been amended to include limitations specifying generally that the first and second nodes are connected by first and second sets of trunks such that the nodes and sets of trunks form at least a four-trunk ring, with the first set of trunks being associated with one of an upper portion and a lower portion of the four-trunk ring, and the second set of trunks being associated with the other of the upper portion and the lower portion of the four-trunk ring, wherein each of the first and second sets of trunks includes a primary trunk and a backup trunk. In addition, the claims as amended specify that the first and second nodes are configured to perform span switching between the primary trunk and the backup trunk for at least one of the upper portion of the four-trunk ring and the lower portion of the four-trunk ring, in conjunction with a restoration process for a given unit of traffic.

Certain limitations previously included in the independent claims have been removed by the present amendment.

Also, the dependent claims have been amended in order to maintain consistency with the amended independent claims.

Support for the amendments can be found, for example, in FIGS. 4 and 5 of the drawings, and the associated text at page 6, line 25, to page 9, line 6, of the specification. It is believed that

a four-trunk ring arrangement with span switching capability of the type recited in the claims as amended is not shown or suggested by Tomizawa or the other art of record.

Accordingly, Applicants respectfully submit that claims 1-7 and 10-17 as presented herein are in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, reading "Joseph B. Ryan". The signature is written in a cursive style with a large, stylized "J" and "R".

Date: August 9, 2004

Joseph B. Ryan
Attorney for Applicant(s)
Reg. No. 37,922
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560
(516) 759-7517